

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

DETRICK D. CROSTON
ADC #131172

PLAINTIFF

v.

No. 5:13-cv-217-DPM

RODERICK COOKSEY

DEFENDANT

ORDER

1. The Court appreciates the parties' proposed jury instructions. The Court is attaching its current working drafts of (1) the *voir dire*, (2) the preliminary instructions, (3) the final instructions, and (4) the interrogatories.

2. The Court has concluded that the issues are better submitted as deliberate-indifference claims as opposed to excessive-force claims. *E.g.*, *Whitley v. Albers*, 475 U.S. 312, 320-21 (1986). The Court has framed the elements instructions accordingly.

3. Please file any objection or comment about the *voir dire* and preliminary instructions by noon on Friday, July 8th. Hold your fire on the final instructions and interrogatories. We'll take up those on Monday at the pretrial.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

7 July 2016